

Mr. GIBBS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Michigan (Mrs. MILLER), who has fought for years to protect the Great Lakes.

Mrs. MILLER of Michigan. I thank the chairman for yielding the time.

Mr. Speaker, I rise today to express my very, very, strong support for H.R. 223, which is the Great Lakes Restoration Initiative Act of 2016.

□ 1545

Actually, as the chairman has said, protecting and preserving the Great Lakes has always been a principal advocacy for myself in all the years that I have been in public service, way before I came to the Congress.

I actually grew up on the Great Lakes. I still live on the Great Lakes. My family was in the marina business, so for us, the lakes were more than just a source of recreation, they put food on the table for my family. Like so many from the region, the Great Lakes are such a very proud, proud part of our heritage and of our identity.

Our Great Lakes, as has been said, generate billions of dollars each and every year through the fishing and shipping industries and recreational activities. They account for 85 to 90 percent of this country's freshwater drinking supply and over 20 percent worldwide. There is actually more freshwater under the polar icecaps, but you cannot get at it. You can't get at it to drink it. You can get at the Great Lakes. That is why we are always wanting to protect the Great Lakes.

Mr. Speaker, unfortunately, we have not been the best stewards of these magnificent lakes, and we owe it, I think, to future generations to help assure that they are protected and that they are preserved as well. One of the ways to do that, I believe, is through continued funding and support of the Great Lakes Restoration Initiative.

For years, the administration has proposed budgets that include cuts of millions of dollars to the GLRI, but it is Congress—this Congress—that has always stepped in to recover this funding. That is just one of the reasons that I support this bill, because it does authorize funding at the essential levels—\$300 million—for the next 5 years.

Mr. Speaker, I will also join my colleagues in pointing out that this is truly a bipartisan effort, as you can tell from the people that are on the floor this morning talking about this. Most of us are from the Great Lakes, whether it is Ohio, Michigan, or some of the other Great Lakes States. But it is not just a regional jewel, just a regional treasure, the Great Lakes are a national treasure and deserve to be protected in that way.

Mr. Speaker, over the years I have seen firsthand the impact that GLRI is having on our lakes, whether that is dredging, or beach and shoreline restoration, fighting invasive species, all of these projects are so critical.

Just last fall I was delighted to be part of the unveiling of \$20 million of

GLRI grants for the Clinton River Restoration. The Clinton River, which flows through a major metropolitan area in southeast Michigan, is in desperate need of restoration. So this funding will go a long way in ensuring that the Clinton River is no longer an area of concern and has a thriving ecosystem and a watershed.

Mr. Speaker, God gave us these magnificent, magnificent Great Lakes that have provided us with so much, but we need to be better stewards of them. Quite frankly, we have a lot of making up to do to Mother Nature—a lot of making up. I believe this bill goes a long way in bringing the necessary attention and the resources to a problem that we have long ago identified and need to address.

Mr. Speaker, again, I strongly support H.R. 223, the Great Lakes Restoration Initiative Act, and I urge all my colleagues to support it as well.

Mr. DEFAZIO. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Speaker, I thank my friend, the ranking member, for yielding. I also want to thank the folks on both sides of the aisle for their great work on this Great Lakes Restoration Initiative, particularly my colleague from Michigan, Congresswoman MILLER, who just spoke and who will be leaving Congress at the end of this year. She has been a defender of the Great Lakes for her entire time here. I think it is a fitting part of her legacy that this legislation, hopefully today, will pass this House of Representatives.

Mr. Speaker, being from Michigan and being a part of the Great Lakes, really growing up around the lakes and in the lakes gives us a lot of pride in my home State. It is the greatest freshwater source, surface freshwater source on the planet, and provides drinking water to over 30 million Americans.

It is a great economic resource as well with great benefits to our entire Nation. It supports millions of jobs, and billions of income every year is derived from the dependence that we have on this great resource. It supports commerce, agriculture, transportation, and tourism. It is home to over 3,500 species of plants and animals. It is an incredible ecosystem.

But we know that the threat to the lakes—the threats—multiple threats to the lakes—are real. From invasive species like Asian carp to toxic chemical contamination and to habitat loss, we have to do everything we can within our power to protect the Great Lakes and combat these really clear present threats.

So I am really proud in a very bipartisan fashion to support full funding for the Great Lakes Restoration Initiative to protect and restore that which we have lost in the largest system of fresh water in the world.

In the short time that the GLRI has been in place, we have made progress—

and we know that this is an effective program—addressing longstanding environmental problems confronting the lakes. Over 2,500 individual projects have already been implemented to improve water quality, to clean up contaminated shorelines, to protect and restore native habitats and species, and to control invasive species.

Mr. Speaker, we are here because we know we have to do more. I join my colleagues in urging Congress to join us in supporting the economic and environmental health of the Great Lakes and making this a permanent part of American law.

Mr. DEFAZIO. Mr. Speaker, I yield back the balance of my time.

Mr. GIBBS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would just like to make a couple of closing comments. We had some hearings in my subcommittee on this, and part of our oversight responsibility is to make sure that taxpayer dollars are being spent the way they should be. We requested a GAO—a government accountability—report, and I am pleased to announce that the report came back very favorable, that the monies to be invested to protect the Great Lakes is being spent the way it is intended to be.

The only negative that was in the report—which is really minor—was the agencies, the EPA needed to do a better job working together and communicating, and they already had started that when they got the report. So I want to assure our fiscal hawks out there that this money is being spent the way it is intended by Congress, and we got that as part of our oversight duty.

Mr. Speaker, in conclusion, I urge our support of H.R. 223 and to continue to protect and enhance the Great Lakes.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, H.R. 223, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### AMENDING THE FEDERAL WATER POLLUTION CONTROL ACT TO REAUTHORIZE THE NATIONAL ESTUARY PROGRAM

Mr. GIBBS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1523) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1523

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. COMPETITIVE AWARDS.**

Section 320(g) of the Federal Water Pollution Control Act (33 U.S.C. 1330(g)) is amended by adding at the end the following:

“(4) COMPETITIVE AWARDS.—

“(A) IN GENERAL.—Using the amounts made available under subsection (i)(2)(B), the Administrator shall make competitive awards under this paragraph.

“(B) APPLICATION FOR AWARDS.—The Administrator shall solicit applications for awards under this paragraph from State, interstate, and regional water pollution control agencies and entities, State coastal zone management agencies, interstate agencies, other public or nonprofit private agencies, institutions, organizations, and individuals.

“(C) SELECTION OF RECIPIENTS.—In selecting award recipients under this paragraph, the Administrator shall select recipients that are best able to address urgent and challenging issues that threaten the ecological and economic well-being of coastal areas. Such issues shall include—

“(i) extensive seagrass habitat losses resulting in significant impacts on fisheries and water quality;

“(ii) recurring harmful algae blooms;

“(iii) unusual marine mammal mortalities;

“(iv) invasive exotic species that may threaten wastewater systems and cause other damage;

“(v) jellyfish proliferation limiting community access to water during peak tourism seasons;

“(vi) flooding that may be related to sea level rise or wetland degradation or loss; and

“(vii) low dissolved oxygen conditions in estuarine waters and related nutrient management.”.

**SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

Section 320 of the Federal Water Pollution Control Act (33 U.S.C. 1330) is amended by striking subsection (i) and inserting the following:

“(i) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to the Administrator \$26,500,000 for each of fiscal years 2017 through 2021 for—

“(A) expenses relating to the administration of grants or awards by the Administrator under this section, including the award and oversight of grants and awards, except that such expenses may not exceed 5 percent of the amount appropriated under this subsection for a fiscal year; and

“(B) making grants and awards under subsection (g).

“(2) ALLOCATIONS.—

“(A) CONSERVATION AND MANAGEMENT PLANS.—Not less than 80 percent of the amount made available under this subsection for a fiscal year shall be used by the Administrator to provide grant assistance for the development, implementation, and monitoring of each of the conservation and management plans eligible for grant assistance under subsection (g)(2).

“(B) COMPETITIVE AWARDS.—Not less than 15 percent of the amount made available under this subsection for a fiscal year shall be used by the Administrator for making competitive awards described in subsection (g)(4).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. GIBBS) and the gentleman from Oregon (Mr. DEFazio) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

**GENERAL LEAVE**

Mr. GIBBS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to re-

vise and extend their remarks and include extraneous materials on S. 1523.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. GIBBS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today we are here to reauthorize the National Estuary Program found in section 320 of the Clean Water Act. Last June, here in the House, we passed Mr. LOBIONDO's H.R. 944, and today we are passing S. 1523, which was introduced by Senator WHITEHOUSE.

Estuaries are unique and highly productive waters that are important to the ecological and economic bases of our Nation. Congress first authorized the National Estuary Program in the 1987 amendments to the Clean Water Act to promote the protection of nationally significant estuaries in the United States that are deemed to be threatened by pollution, development, or overuse.

Unlike many of the programs under the Clean Water Act, the National Estuary Program is a nonregulatory program. Instead, it is designed to support the collaborative, voluntary efforts of Federal, State, and local stakeholders to restore degraded estuaries.

Using consensus building and a collaborative decisionmaking process instead of a top-down driven regulatory approach, the National Estuary Program has been effective at promoting locally based involvement. In addition, NEP leverages non-Federal money for restoration activities by providing funding for the program.

In reauthorizing the National Estuary Program, S. 1523 makes prudent fiscal adjustments. The amendment to S. 1523 strikes the text of the Senate bill and instead uses the legislative text of the House-passed bill, H.R. 944. An agreement was reached to split the difference in authorized appropriations levels of the two bills.

As amended, the bill reauthorizes section 320 of the Clean Water Act through 2021, at an amount of \$26.5 million a year. This amount is consistent with appropriations over the past 5 years and in recognition of the fiscal realities of today.

S. 1523 also directs more funds to where they need to be, the individual estuaries in the program. The bill achieves this by reducing the amount of discretionary funds made available to the EPA.

Finally, the bill allocates a portion of the eligible program funds for competitive awards to Federal, State, and local stakeholders to address certain high-priority estuary needs, including algal blooms, hypoxia, flooding, and invasive species.

Mr. Speaker, I urge all Members to support the bill, and I reserve the balance of my time.

Mr. DEFazio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of S. 1523.

Mr. Speaker, I am pleased the House is again considering legislation to reauthorize EPA's National Estuary Program. Last summer the House approved by voice vote a similar bill championed by my colleagues, the gentlemen from Washington (Mr. LARSEN) and Florida (Mr. MURPHY). I thank them for their hard work and dedication to produce this important piece of legislation.

Estuaries are integral to the health and vibrancy of our national economy and environment. They are formed, as we all know, when fresh water drained from land mixes with salty seawater, and they serve as a nesting and feeding grounds for many plants and animals that form the basis of the aquatic food chain.

Estuaries also help to maintain healthy ocean and coastal environments by filtering out sediments and pollutants that flow through our rivers and streams before they reach the ocean. Moreover, during storm and flood events, estuaries help defend our shores by softening the blow of storm surge.

More than one-half of our population lives in coastal areas, and countless Americans depend on estuaries for storm and flood protection, and for the cultivation of their livelihoods. Estuarine habitats provide for millions of jobs in our country and contribute trillions to our national economy every year. These jobs are created by commercial and recreational fishing and boating, as well as tourism and other forms of recreation taking place just off our shores. As one of my colleagues noted during previous consideration of this legislation, restoring our estuaries can create more than 30 jobs for every \$1 million invested.

Regrettably, before we understood—fully understood—the extraordinary and irreplaceable value of estuaries, numerous activities were undertaken that have led to the decline in the health of our estuaries, leaving these coastal areas of our country vulnerable to pollution and more frequent and severe storm events. It is also undeniable that the population growth near estuaries has led to increased storm water runoff and sewage discharges fed into these fragile environments. Simply put, estuaries are too ecologically important to leave their fate to chance.

With that in mind, today we consider S. 1523, desperately needed legislation that will reauthorize EPA's National Estuary Program. Since 1987, the National Estuary Program has operated at EPA in partnership with State and local partners and has developed innovative solutions to local water quality problems in estuarine environments. This nonregulatory program currently works to improve the health of 28 estuaries across the country, including three estuaries in Northwest: Puget Sound, Tillamook, and Columbia River estuaries. These estuaries are of great support to my home State, Oregon, and our regional and national economies.

Restoring and protecting these areas should be one of our highest concerns.

Mr. Speaker, this bipartisan bill would ensure that logical organizations across the country in partnership with the EPA can protect and restore estuaries for the benefit of future generations. I support passage of this legislation and hope that this is the last time this House must act to send this important bill to the President.

Mr. Speaker, I urge my colleagues to join me in supporting S. 1523.

Mr. Speaker, I reserve the balance of my time.

Mr. GIBBS. Mr. Speaker, I yield such time as he may consume to the gentleman from New Jersey (Mr. LOBIONDO), who is a sponsor of the bill and has worked tirelessly to protect estuaries throughout the Nation.

□ 1600

Mr. LOBIONDO. Mr. Speaker, first, I would like to thank Chairman SHUSTER, Chairman GIBBS, Ranking Members DEFAZIO and NAPOLITANO, as well as my colleagues Mr. LARSEN, Mr. POSEY, and Mr. MURPHY of Florida for helping to draft this legislation and reauthorization. We all share the hope that this is the last go-around to get this done.

Estuaries across the country, including the Delaware Bay and Barnegat Bay estuaries in my district, have immeasurable economic, ecological, and environmental benefit. They deserve continued congressional support.

This version of the National Estuary Program reauthorization is a bipartisan, fiscally responsible compromise with the Senate that reduces the authorization by \$8.5 million. The important part is it ultimately increases the amount of money each estuary program will receive.

Unlike many programs under the Clean Water Act, the National Estuary Program is a nonregulatory program, uniquely designed to support the collaborative, voluntary efforts of Federal, State, and local stakeholders to restore degraded estuaries. Unfortunately, the NEPs have been losing money due to increasing EPA administrative costs. We have heard that before, but, in this particular case, it is really hurting.

To correct that, our legislation details precisely how the EPA is to spend the authorized and appropriated money. By setting limits of 5 percent for the EPA's administrative costs, we can guarantee 80 percent of the funding goes directly to the needs of the estuary and not bureaucratic salary and red tape.

Also, in this year's reauthorization, we have set aside 15 percent of the funding for a competitive award program. This program seeks applications to deal with urgent and challenging issues that threaten the ecological and economic well-being of coastal areas.

By structuring how the money is spent and lowering authorization levels, this legislation strikes the right

balance of fiscal and environmental responsibility. I want to thank my colleagues once again for their strong support of this, and I urge all Members to support the bill.

Mr. DEFAZIO. Mr. Speaker, I yield back the balance of my time.

Mr. GIBBS. Mr. Speaker, I urge support of this important legislation to protect estuaries throughout the country.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. GIBBS) that the House suspend the rules and pass the bill, S. 1523, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

## FOREIGN SPILL PROTECTION ACT OF 2016

Mr. CURBELO of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1684) to amend the Oil Pollution Act of 1990 and the Federal Water Pollution Control Act to impose penalties and provide for the recovery of removal costs and damages in connection with certain discharges of oil from foreign offshore units, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1684

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Spill Protection Act of 2016".

### SEC. 2. LIABILITY OF OWNERS AND OPERATORS OF FOREIGN FACILITIES.

(a) OIL POLLUTION CONTROL ACT AMENDMENTS.—Section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701) is amended—

(1) in paragraph (26)(A)—

(A) in clause (ii), by striking "onshore or offshore facility, any person" and inserting "onshore facility, offshore facility, or foreign offshore unit or other facility located seaward of the exclusive economic zone, any person or entity"; and

(B) in clause (iii), by striking "offshore facility, the person who" and inserting "offshore facility or foreign offshore unit or other facility located seaward of the exclusive economic zone, the person or entity that"; and

(2) in paragraph (32)—

(A) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively;

(B) by inserting after subparagraph (C) the following:

"(D) FOREIGN FACILITIES.—In the case of a foreign offshore unit or other facility located seaward of the exclusive economic zone, any person or other entity owning or operating the facility, and any leaseholder, permit holder, assignee, or holder of a right of use and easement granted under applicable foreign law for the area in which the facility is located."; and

(C) in subparagraph (G), as so redesignated, by striking "or offshore facility, the persons who" and inserting "offshore facility, or

foreign offshore unit or other facility located seaward of the exclusive economic zone, the persons or entities that".

(b) FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS.—Section 311(a) of the Federal Water Pollution Control Act (33 U.S.C. 1321(a)(11)) is amended—

(1) by striking "and any facility" and inserting "any facility"; and

(2) by inserting "and, for the purposes of applying subsections (b), (c), (e), and (o), any foreign offshore unit (as defined in section 1001 of the Oil Pollution Act) or any other facility located seaward of the exclusive economic zone" after "public vessel".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. CURBELO) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

### GENERAL LEAVE

Mr. CURBELO of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1684.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURBELO of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, following the *Exxon Valdez* disaster in Alaska in 1989, Congress passed the Oil Pollution Act of 1990, or OPA. The basic premise of OPA is that the party responsible for the spill is responsible for all of the costs of cleaning up the mess.

The *Deepwater Horizon* spill in 2010 reminded us of the impact a spill of its size can have on waters, coastlines, people, and our economy. It is important to note that these offshore facilities, as defined by OPA, are limited only to the navigable waters of the United States, and foreign rigs cannot be designated as responsible parties. Therefore, if there were an oil spill originating in foreign waters, the most the responsible party would have to pay to clean up American waters and shores is \$150 million.

This issue is of particular concern to Gulf States. Mexico, Cuba, and the Bahamas are actively looking at expanding their offshore drilling operations. Of particular concern is Mexico, which is looking into ultradeep wells, exceeding 6,000 feet in depth. In 2012, Mexico's top oil regulators said they were not prepared to handle a serious accident or major oil spill.

But it is not just the Gulf States that could be negatively affected by a spill. On the Canadian side of Lake Erie, offshore energy exploration is being conducted for natural gas. While Canadian law prohibits oil extraction from the Great Lakes, the risk of a spill persists. Again, under current law, the responsible party would only have to pay a maximum of \$150 million for cleanup.

In response to these concerns, my friend from Florida, Representative